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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,121	12/18/2001	Lauri Soderbucka	810-010767-US(PAR)	3543
2512 PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824	7590 06/10/2009		<div>EXAMINER</div> <div>NGUYEN, HUY D</div>	
			<div>ART UNIT</div> <div>2627</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>06/10/2009</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/024,121

**Applicant(s)**

SODERBACKA ET AL.

**Examiner**

HUY D. NGUYEN

**Art Unit**

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-15 and 17-35 is/are pending in the application.
- 4a) Of the above claim(s) 14 and 21-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 15 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-12, 15, 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Byrne (US 5,737,703).

Regarding claims 1, 5, 11-12, 15, Byrne discloses a method comprising initiating an intersystem handover of a mobile terminal (401) accessing a communication network via a radio access network of a first type (e.g., cellular system, GSM, see Fig. 1) by a transmission of said mobile terminal to said communication network (column 6 lines 45-60), said communication network comprising at least and radio access network of said first type and a radio access network of a second type (e.g., cordless telephone system, DECT, Fig. 1), wherein said which transmission comprises information indicating that an intersystem handover from said radio access network of said first type to said radio access network of said second type should be performed (column 7 lines 50-60) wherein said information is based on a requested content (column 7 lines 51-53).

Regarding claims 2-4, 7, 10, 17, Byrne discloses wherein said transmission comprises a direct request for a specific type of radio access network (see col. 2, lines 25-30).

Regarding claims 8-9, Byrne discloses wherein said transmission comprises information indicating that an intersystem handover should be performed in a dedicated information element in a connection establishment signaling (e.g., control signals, see column 7 lines 51-53).

Regarding claims 18, 20, Byrne discloses wherein said communication network grants an intersystem handover initiated by a transmission of said mobile terminal (e.g., call initiation, see col. 6, lines 45-60).

Regarding claim 19, Byrne discloses wherein said communication network triggers a handover with a new information element to said first type radio access network (see col. 6 lines 45-60).

#### ***Allowable Subject Matter***

3. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Election/Restrictions***

4. Applicant's election with traverse of group I in the reply filed on 2/23/2009 is acknowledged. The traversal is on the ground(s) that the invention groups are not independent or distinct. This is not found persuasive because the invention groups are distinct as follow:

Group I. Claims 1-5, 7-21, drawn to intersystem handover, classified in class 455, subclass 438; Group II. Claims 22-25, drawn to equipment detail, classified in class 455, subclass 550.1; Group III. Claims 26-32, drawn to mobile initiated handoff, classified in class

455, subclass 437; Group IV. Claims 33-35, drawn to URL, classified in class 709, subclass 218. Species I. Claims 12-13, drawn to access point names; Species II. Claim 14, drawn to uniform resource location; Species III. Claim 21, drawn to packet data protocol. There would be a serious search and examination burden if restriction were not required because the inventions have acquired a separate status in the art in view of their different classification and require different field of search (searching different classes/subclasses, electronic resources). Applicant did not submit evidence showing the inventions to be obvious variants.

The requirement is still deemed proper and is therefore made FINAL.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY D. NGUYEN whose telephone number is (571)272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph H. Feild/  
Supervisory Patent Examiner, Art Unit  
2627

/Huy D Nguyen/  
Examiner, Art Unit 2627